

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEVEN GRIMM,

Defendant.

Case No.: 2:08-cr-00064-JCM-GWF

ORDER

Presently before the court are defendant Steven Grimm's pro se motion for compassionate release under the FIRST STEP Act (ECF No. 851) and motion to dismiss his appointed counsel (ECF No. 855).

This court's local rules dictate that "a party who has appeared by attorney cannot while so represented appear or act in the case. This means that once an attorney makes an appearance on behalf of a party, that party may not personally file a document with the court; all filings must thereafter be made by the attorney." LR IA 11-6(a). Grimm filed the two motions before the court pro se even though he was appointed counsel in August 2020 to assist with his compassionate release and his § 2255 motion. (ECF No. 856).


Grimm's appointed counsel Kelsey Bernstein avers in a status report that she will continue to represent Grimm to the best of her abilities but if the court dismisses her as counsel, the court should appoint standby counsel as Grimm has "refused the legal assistance of appointed counsel by withholding consent to file documents and thereafter filing motion on his own behalf in proper person." (*Id.* at 3).

1 Accordingly,

2 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Grimm's motions
3 (ECF Nos. 851, 855) be, and the same hereby are, DENIED without prejudice. Bernstein shall
4 consult with Grimm and determine whether she should file a proper motion to withdraw as
5 counsel.
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7 IT IS FURTHER ORDERED that the court's recent order appointing CJA counsel
8 (ECF No. 854) be, and the same hereby is, VACATED.
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10 DATED August 2, 2021.

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12 JAMES C. MAHAN
13 UNITED STATES DISTRICT JUDGE
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